

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

UNITED STATES OF AMERICA

§

§

v.

§

§

YULKEL ANDRE CURLEY

§

Case No. 2:01-CR-2-6- JRG-RSP

**REPORT AND RECOMMENDATION OF  
THE UNITED STATES MAGISTRATE JUDGE**

On June 18, 2014, the undersigned held a final hearing on the Government's petition (#342) to revoke supervised release. The Government was represented by Assistant United States Attorney Bill Baldwin. The Defendant, Yulkel Andre Curley, was represented by Ken Hawk.

Yulkel Andre Curley was sentenced on September 20, 2001, before The Honorable T. John Ward of the Eastern District of Texas after pleading guilty to the offense of Conspiracy to Possess with Intent to Distribute Cocaine Base, a Class A felony. This offense carried a statutory maximum imprisonment term of life. The guideline imprisonment range, based on a total offense level of 29 and a criminal history category of II, was 120 to 121 months. Yulkel Andre Curley was subsequently sentenced to 120 months imprisonment followed by a 5 year term of supervised release subject to the standard conditions of release, plus special conditions to include financial disclosure and drug aftercare. On September 25, 2009, Yulkel Andre Curley completed his period of imprisonment and began service of the supervision term.

On April 16, 2014, this petition to revoke was filed. In its petition, the Government alleges the Defendant violated the following conditions:

1) Standard: The Defendant shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month. Specifically, the Government alleges as follows: Mr. Curley failed to report to the office on February 26, 2014, March 19, 2014, and on March 27, 2014 as directed by the U.S. Probation Officer.

2) Standard: The Defendant shall notify the probation officer ten days prior to any change of residence or employment. Specifically, the Government alleges as follows: Mr. Curley changed residence without notifying the probation officer.

The Court scheduled a revocation hearing for June 18, 2014. At the hearing on the Government's petition, and after consenting to the undersigned taking the plea, the Defendant pled true to the allegations as set forth above. Based on the Defendant's plea of true to the allegations, and with no objection by the Defendant or the Government, the undersigned found that the Defendant did violate conditions of his supervised release, as alleged in the U.S. Probation Office's petition.

The undersigned thereafter recommended that the Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for four months, with no supervised release to follow such term of imprisonment. Based on the foregoing, it is

**RECOMMENDED** that the Defendant's plea of true to the allegations, as set forth in the Government's petition, be **ACCEPTED**. Based upon the Defendant's plea of true to the allegations, it is further recommended that the Court find that the Defendant violated the conditions of his supervised release. It is further

**RECOMMENDED** that the Defendant's supervised release be **REVOKED**. It is

further **RECOMMENDED** that the Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for a term of four months, with no supervised release to follow such term of imprisonment.

At the close of the June 18, 2014 revocation hearing, Defendant, defense counsel, and counsel for the Government each orally consented to waiving their right to object to the proposed findings and recommendations contained in this report, consenting to revocation of supervised release as recommended herein and to the imposition of the above sentence. Defendant also waived his right to be present and speak before the District Judge imposes the recommended sentence. Therefore, the Court may act on the findings and recommendation immediately.

**SIGNED this 24th day of June, 2014.**



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ROY S. PAYNE  
UNITED STATES MAGISTRATE JUDGE